

Remarks

Claims 8, 9, 11, 20, 21 and 23 have been cancelled without prejudice or disclaimer and with the understanding that Applicants may pursue the subject matter encompassed by the cancelled claims in a continuation application. Claims 1-4, 7, 12-16, 19 and 24 have been amended.

All of the amendments find full support in Applicants' specification. Exemplary support may be found at page 2, lines 28-30 and in the "Modes for Carrying Out the Invention" section at page 6 through page 15, in particular at page 8, lines 1-2; page 9, lines 23-24; page 12, lines 4-5; page 13, lines 7-8; and page 14, lines 11-13 and 29-30. As such, no new matter has been introduced by any of the amendments.

1. Rejection under 35 U.S.C. § 102(b)

Claims 1-24 have been rejected as being anticipated by U.S. Patent 5,437,774 to Laustsen ("Laustsen"). According to the Examiner, Laustsen discloses Applicants' claimed method and apparatus.

Applicants respectfully disagree with the Examiner's assessment of the applicability of Laustsen to Applicants' claimed invention. However, in an attempt to expedite prosecution of the subject application, Applicants have amended the claims to recite the presence of at least one separation membrane and at least two restriction membranes, wherein at least one of the at least one separation membranes has a molecular weight cutoff that is higher than, but less than three times greater than, the molecular weight cutoff of at least two of the at least two restriction membranes. Applicants' specification provides numerous examples of the use of separation and restriction membranes with these characteristics in the isolation of various molecules of interest. See, for example, the procedures described at pages 6 through 14.

Laustsen does not teach or suggest the incorporation of these features in its described electrodialysis systems because Laustsen requires that the separation membrane must have a molecular weight cutoff of "at least three times that of the retention membrane, usually at least 10 times that of the retention membrane, and often much higher..." (see column 2, lines 30-33 (emphasis added)). See also claim 1 of Laustsen which includes this limitation and a further statement in the Laustsen specification that "[t]he molecular weight cutoff of the separation membrane will be at least three times that of the retention membrane..." (column 3, line 67 to column 4, line 1). As such, Laustsen does not anticipate Applicants' claimed subject matter because Laustsen does not teach each and every feature of Applicants' claimed invention. In fact, as discussed above, Laustsen actually teaches away from Applicants' claimed

features and therefore also cannot not render Applicants' claims obvious. For at least these reasons, Applicants request that this rejection be withdrawn.

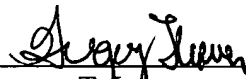
2. **Conclusion**

The foregoing amendments and remarks are being made to place the application in a condition for allowance. Applicants respectfully request reconsideration of and the timely allowance of the pending claims. Should the Examiner find that an interview would be helpful to further prosecution of this application, he is invited to telephone the undersigned at his convenience.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive Petition for Extension of Time** in accordance with 37 C.F.R. 1.136(a)(3).

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